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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/998,695

11/30/2001

Winston Ser Tuen Wei

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24978

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09/08/2004

GREER, BURNS & CRAIN

300 S WACKER DR

25TH FLOOR

CHICAGO, IL 60606

EXAMINER

NGUYEN, VAN H

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,695

Applicant(s)

WEI ET AL.

Examiner

VAN H NGUYEN

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892) *
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/30/01.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. The cross reference related to the application cited in the specification must be updated (i.e., update the relevant status, with patent numbers where appropriate, on the specification page 1). Correction is required.

Specification

3. The disclosure is objected to because of the following informalities:
 - (i) "the internet" (page 1, line 10) should read "the Internet"
 - (ii) "a m-Coupon" (page 39, lines 17 and 19) should read "an m-Coupon"Applicant is requested to review the entire specification and make appropriate corrections.

Claim Objections

4. Claims 1-20 are objected to because of the following informalities:
 - (i) The abbreviations (e.g., SMS, GSM) used in claim 1 should be defined.
 - (ii) Dependent claims 2-19 should begin with "the method" as they are referred to "a method" of independent claim 1.Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following phrases lack antecedent basis:

- (i) "the user security number" (claim 1, line 7)
- (ii) "the secure acknowledgement SMS" (claim 1, line 12)
- (iii) "the acknowledgement" (claim 1, lines 15-16)
- (iv) "the template" (claim 1, line 18)

B. The phrase "a search template" (claim 1, line 16) is indefinite because it is not clear if it is referred to "a search template" on line 2.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

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to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-4, 6, 13-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lohtia et al.** (U.S. 6,560,456) in view of **Weghorst et al.** (U.S. 6,775,559).

14. As to claim 1, Lohtia teaches the invention substantially as claimed including a method of processing coded information in respect of a transaction by a user and a provider, the user being a user of a mobile phone with a search template, which phone is connectable to an SMS server, which in turn is connectable to the Internet (col.4, lines 21-41 and fig.3); the provider having a GSM device connectable to a GSM terminal and to the Internet (col.4, lines 53-61); each user having a unique identification number for use in transactions (col.8, lines 35-37); each provider having a unique identification number for use in transactions (col.1, lines 55-61); wherein the method comprises the steps of:

the user uses the search template to send the provider UIN and the user security number to the SMS server (col.1, lines 52-62 and col.7, lines 17-34);

the SMS server confirms the validity of the provider UIN to the user (col.8, lines 29-39) by sending an acknowledgement in the form of an SMS signal readable on a mobile phone using the search template, and displayable to the provider (col.9, lines 23-26);

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the provider forwards the acknowledgement SMS to the SMS server (col.9, lines 25-26);

the SMS server effects the completion of the transaction by directing an entry to specified records indicating the consideration offered the user for the transaction (col.10, lines 30-51);

the SMS server sends an acknowledgement to the provider and the user, the acknowledgement being an SMS signal capable of being read through the search template on the mobile phone and by the GSM device (col.11, lines 7-15);

wherein the template is in the form of a search index capable of carrying pre-determined information and coding instruction and being both capable of use for composing an alphanumeric message for broadcast (col.2, lines 37-56), and capable of use for interpreting a received message, by the user, the message being transmitted through a mobile phone network and the SMS server (col.7, lines 1-15).

Lohtia does teach authenticating to validate the provider identification by sending an SMS signal, however, does not specifically teach an SMS signal is a secure acknowledgement.

Weighorst teaches an SMS signal is a secure acknowledgement (col.8, lines 62-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Weighorst and Lohtia because Weighorst's teaching would have provided the capability for limiting access to the SMS server to the authorized mobile phone users, and therefore, offering fast services to the requests from the mobile phone users.

9. As to claim 2, Lohtia teaches the GSM device is selected, among other things, a mobile phone (col. 7, lines 20-24).

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10. As to claim 3, Lohtia teaches the SMS signals are also in a human readable format, which is selected, among other things, an email message (col.5, lines 59-61 and col.7, lines 7-10).

11. As to claim 4, Lohtia does not explicitly teach an unstructured supplementary services data system.

Weighorst teaches an unstructured supplementary services data system (col.4, lines 7-10).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Weighorst and Lohtia because Weighorst's teaching would have provided the capability for facilitating the telecommunications between the mobile phone and the GSM.

12. As to claim 6, Lohtia teaches the provider is selected from, among other things, a provider of services (col. 7, lines 29-35).

13. As to claim 13, Lohtia teaches the provider is an advertiser of accommodation; the user is a seeker of accommodation; and the transaction includes information relating to the accommodation (col.10, lines 30-38).

14. As to claim 14, Lohtia teaches the provider is a game organiser; the user is a remote participant in a game and each transaction is a move in accordance with the rules of the game (col.2, lines 37-42).

15. As to claim 15, Lohtia teaches the game is a game broadcast live (col.4, lines 28-39).

16. As to claim 16, Lohtia teaches the provider is a receiver and sender of email messages; the user is a sender and receiver of email messages and the transaction is an email message (col.5, lines 59-61 and col.7, lines 7-10).

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17. As to claim 17, Lohtia teaches the email messages are broadcast messages from the provider to at least one user (col.7, lines 7-15).

18. As to claim 19, Lohtia teaches the provider is an employer and the user is an employee of the employer 9col.2, lines 12-14).

19. As to claim 20, Lohtia teaches the transactions contains information on a topic selected from, among other things, management schedules (col.4, lines 30-33).

20. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lohtia et al.** in view of **Weghorst et al.** as applied to claims 1-2 above and further in view of **Peersman et al.** "The Integration of SMS with Voice Based Technology" 1997 IEEE, pp. 9/1-9/7.

21. As to claim 5, the combination of Lohtia and Weighorst does teach the GSM device, but is silent on the GSM device is connectable to a printer.

Peersman teaches the GSM device is connectable to a printer (number [4.] on page 9/3).

It would have been obvious to one of ordinary skill in the art to combine Peersman's teachings in the system of Lohtia as modified by Weighorst because Peersman's teachings would have provided the capability for allowing the users to obtain a copy of the requested information.

22. As to claim 18, the combination of Lohtia and Weighorst does teach the email messages, but is silent on the email messages incorporate at least one of the following: a facsimile message; a greeting card; a post card capable of electronic sending; and a combination thereof.

Peersman teaches the email messages incorporate, among other things, a facsimile message (number [4.] on page 9/3).

It would have been obvious to one of ordinary skill in the art to combine Peersman's teachings in the system of Lohtia as modified by Weighorst because Peersman's teachings would have provided the capability for increasing the flexibility to Lohtia's system.

23. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lohtia et al.** in view of **Weghorst et al.** as applied to claims 1-4 above and further in view of **Makipaa et al.** (U.S. 6,394,341).

24. As to claim 7, the combination of Lohtia and Weighorst does teach the SMS server, but is silent on the SMS server is connectable to at least a clearing house which is selected from: a security clearing house, a financial institution bank; a credit transfer facility; wherein the specified records in respect of which an entry is to be made to effect the completion of the transfer are contained at least one of the clearing houses.

Makipaa teaches the SMS server is connectable to at least a clearing house (col. 3, lines 48-49) which is selected from, among other things, a financial institution bank (col. 3, lines 47-48).

It would have been obvious to one of ordinary skill in the art to combine Makipaa's teachings in the system of Lohtia as modified by Weighorst because Makipaa's teachings would have provided the capability for facilitating the verification of transactions between the customer and the party providing the transactions.

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25. As to claim 8, Makipaa teaches the records altered to complete the transaction are selected from, among other things, a credit card of the customer, and account of the merchant (col.3, lines 48-52).

It would have been obvious to one of ordinary skill in the art to combine Makipaa's teachings in the system of Lohtia as modified by Weighorst because Makipaa's teachings would have provided the capability for facilitating the verification of transactions between the customer and the party providing the transactions.

26. As to claim 9, Makipaa teaches the programmable means is operable to display selections of information on the display device; which are selected from, among other things, number, type and value of specified types of sales in a given period of time (col.6, lines 47-58).

It would have been obvious to one of ordinary skill in the art to combine Makipaa's teachings in the system of Lohtia as modified by Weighorst because Makipaa's teachings would have provided the capability for offering fast services to the requests from the mobile phone users.

27. As to claim 10, Lohtia does teach the template, but does not explicitly teach the template is programmable to display summary information from a clearing house, the information being in respect of the user's account with the clearing house, and the information relating to the transactions of the customer for a specified period of time.

Makipaa teaches the template is programmable to display summary information from a clearing house, the information being in respect of the user's account with the clearing house (col.3, lines 47-51), and the information relating to the transactions of the customer for a specified period of time (col.6, lines 47-58).

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It would have been obvious to one of ordinary skill in the art to combine Makipaa's teachings in the system of Lohtia as modified by Weighorst because Makipaa's teachings would have provided the capability for facilitating the verification of transactions between the customers and the party providing the transactions and offering fast services to the requests from customers.

28. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lohtia et al.** in view of **Weghorst et al.** as applied to claims 1-2 above and further in view of **Hendrey et al.** (U.S. 6,539,323).

29. As to claim 11, Lohtia does teach the transaction, but is not specifically teach the transaction is a part of a customer loyalty scheme which scheme includes the issue and redemption of coupons for activities selected from: lucky dips; bonus; chance selection for rewards; purchase incentives; the issue of and a combination thereof.

Hendrey teaches the transaction is a part of a customer loyalty scheme which scheme includes the issue and redemption of coupons for activities selected from, among other things, purchase incentives (col.15, lines 40-50).

It would have been obvious to one of ordinary skill in the art to combine Hendrey's teachings in the system of Lohtia as modified by Weighorst because Hendrey's teachings would have provided the capability for increasing the flexibility to Lohtia's system and offering fast services to the requests from customers.

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30. As to claim 12, Lohtia does teach the provider, but does not explicitly teach the provider is club selected from a social club, a sports club, a hobby club; and the user is a member of the club; and wherein the transaction includes a club activity.

Hendrey teaches the provider is club selected from, among other things, a social club, and wherein the transaction includes a club activity (col.2, lines 30-35).

It would have been obvious to one of ordinary skill in the art to combine Hendrey's teachings in the system of Lohtia as modified by Weighorst because Hendrey's teachings would have provided the capability for increasing the flexibility to Lohtia's system and offering fast services to the requests from customers.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Miller et al. (U.S. 6421707) teaches "Wireless multi-media messaging communications method and apparatus."

- Brilla et al. (U.S. 6389276) teaches "Systems and methods for providing voice mail notification from a separate voice mail system to mobile telephone."

- Smith et al. (U.S. 6333973) teaches "Integrated message center."

- Valentine et al. (U.S. 6223045) teaches "Satellite delivery of short message service (SMS) messages."

- Laiho et al. (U.S. 6151507) teaches "Individual short message service (SMS) options."

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- Wells et al. (U.S. 6125281) teaches "Real-time SMS application messaging using an SMSC-linked server."

- Landgren (U.S. 6115754) teaches "System and method for appending location information to a communication sent from a mobile terminal operating in a wireless communication system to an internet server."

- Lim et al. "Interworking of SMS between GMS based GMPCS system and IS-41 based cellular system using I-SMC" 1999 IEEE, pp. 1432- 1436.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (703) 306-5971. **After mid-October, 2004, the examiner can be reached at (571) 272-3765.** The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.


The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VHN



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100